

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**POWERTRAIN, INC., A MISSISSIPPI
CORPORATION**

**PLAINTIFF/
COUNTER-DEFENDANT**

VS.

CIVIL ACTION NO. 1:11-cv-000105-SA-DA

**JOYCE MA, INDIVIDUALLY, AND
BEST MACHINERY & ELECTRICAL, INC.**

**DEFENDANTS
COUNTER-PLAINTIFFS**

**MOTION TO EXTEND CASE
MANAGEMENT ORDER DEADLINES**

COMES NOW the Plaintiff, PowerTrain, Inc., in the above-styled and captioned cause, and moves this Honorable Court to extend the existing the existing deadline for the filing of discovery, expert designations, motions, and settlement conference, and for cause, would represent and show unto the Court the following:

I.

This Court entered the Case Management Order (Doc. 29) in the above-styled and numbered cause on April 27, 2012.

II.

The Case Management Order set a settlement conference for September 4, 2012, designation of Plaintiff's expert for August 24, 2012, and Defendant's designation of expert for

September 24, 2012. The discovery deadline is set for August 26, 2012. The Motion deadline is set for November 9, 2012.

III.

The Plaintiff would state the parties are still actively involved in discovery and the parties are continuing to arrange for the discovery depositions of Plaintiff, PowerTrain, Inc., officers and employees.

IV.

The Plaintiff would state the Court should extend the discovery, motion, designation of expert, and settlement conference deadlines in this cause. Plaintiff requests the Court extend the discovery deadline until December 3, 2012; extend Plaintiff's Designation of Expert until October 24, 2012; extend motion deadline until January 3, 2013; and extend Defendants' Designation of Expert until November 24, 2012.

V.

The undersigned counsel for Plaintiff has conferred with Defendants' counsel regarding the requested extension of time, and Defendants' counsel has agreed to the additional time for discovery deadlines, motion deadlines, expert designation deadlines and settlement conference, if the Court will so allow.

VI.

The Plaintiff further requests this Court reset a settlement conference for a date and time convenient for the Court.

WHEREFORE PREMISES CONSIDERED, Plaintiff requests that the Court extend scheduling deadlines as to discovery, motions, expert designation and settlement conference.

Respectfully submitted,

POWERTRAIN, INC.

/s/ Duncan Lott

DUNCAN L. LOTT, MBN 1431

Attorney for the Plaintiff

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CERTIFICATE OF SERVICE

I, Duncan L. Lott, Counsel for the Plaintiff, do hereby certify that I have this day served a true and correct copy of the above and foregoing *Motion to Extend Case Management Order* on Counsel of Record for the Defendant, by placing said copy in the United States Mail, postage prepaid, addressed to them at his usual post office addresses as follows:

Jeffery M. Navarro, Esq.

jeffnavarro53@att.net

P. O. Box 162

Amory, MS 38821

This the 22nd day of August, 2012.

/s/ Duncan Lott

DUNCAN L. LOTT